

2025:PHHC:048417



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

651

CWP-19639-2003 (O & M)
Date of decision: 08.04.2025

Jagannath Lal

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Arun Gupta, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the order dated 26.06.2003, vide which request of the petitioner for permission to change of his option for fixation of revised scale was declined.
2. Learned State counsel refers to para 1 of preliminary submissions of written statement by way of affidavit of the Assistant Director (Admn.), Department of Industries and Commerce, dated 28.09.2005, wherein it has been stated that the petitioner exercised the option and elected the revised scale w.e.f. 1.1.1978 and his pay was fixed accordingly and w.e.f. 8.2.1978. However, he gave 2nd option in view of the notification dated 22.9.1981, which was erroneously accepted though not in consonance with the provisions of the rules. It is on the objection raised by the office of the Accountant General, Punjab, with regard to the

second option that his claim was rejected. Reference is also made to Sub-rule (4) of Rule 5 of the Punjab Civil Services (Revised Scale of Pay) Rules, 1979, wherein it has been specifically mentioned that option once exercised shall be treated as final. These facts have not been rebutted by filing any replication.

3. Disposed of, reserving the petitioner with a liberty to get it revived, in case *lis* still subsists.

08.04.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No